

March 2, 2004

**Public Notice for 401 Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)**

**DeAngelis Apartment Project, WDID No. 1B03207WNSO
Sonoma County**

On December 1, 2003, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Marv DeAngelis requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the DeAngelis Apartment Project in Sonoma County. The proposed project causes disturbances to waters of the state associated with seasonal wetland habitat and the Laguna de Santa Rosa Hydrologic Sub Area No. 114.21.

The proposed project site is located on the east side of Santa Rosa Avenue, between Bellevue and East Robles Avenues, Santa Rosa, Sonoma County, California. The site is a single 4.01-acre parcel (APN 044-101-011). The purpose of the project is to construct low-to moderate- income housing consistent with the City of Santa Rosa's General Plan and generate an eight percent profit.

The proposed project consists of the construction of an apartment complex consisting of eight apartment buildings, one community center with laundry facilities, and parking facilities. The apartments would include 19 one-bedroom and 53 two-bedroom units. The proposed project calls for 161 parking spaces, 52 of which will be covered spaces. A 100-foot agricultural setback zone parallels the eastern site boundary.

According to the application, the habitat on the site consists of a mosaic of annual grassland and seasonal wetland habitat in shallow depressions and a drainage ditch running along the south property line. There are two disturbed low-quality seasonal wetland features with a combined area of 0.056-acre and a three-foot wide ditch that provides seasonal wetland habitat, with an area of 0.056-acre, for a combined total of 0.093-acre. The seasonal wetland features are depressional and have been subjected to long-term disturbances due to past land use practices.

Surveys for special status species were conducted on the project site in the spring of 2003. According to the application, the target species were those: (1) listed in the draft Santa Rosa Plain Vernal Ecosystem Preservation Plan in preparation for the Santa Rosa Plain Vernal Pool Task Force (CH2M Hill 1996) and (2) identified in California Natural Diversity Database records. Surveys were conducted on March 16, 2003, April 14, 2003 and May 6, 2003, and no state or federally listed plant species were observed.

The Sonoma Distinct Population Segment of the California tiger salamander (*Ambystoma tigrinum californiense*) (CTS) was listed as an endangered species on March 19, 2003. The project site is within the potential range map for CTS, which was produced by the U.S. Fish and Wildlife Service (USFWS) in October 2003. No adult/juvenile and larval surveys have been

conducted on the site. The applicant has sent the USFWS a letter requesting a “no-effect” determination.

The proposed project will result in the permanent filling of all 0.093-acres of seasonal wetland habitat present on the site. Approximately 180-200 cubic yards of clean fill material from on-site and off-site sources will be used to fill the wetland features.

Proposed compensatory mitigation measures include the purchase of wetland creation and preservation mitigation credits at a 1:1 ratio at an approved wetland mitigation bank. Because of the location of the site with respect to the ranges of the endangered plant species on the Santa Rosa Plain, preservation will be achieved through the acquisition of Sebastopol meadowfoam credits. Preservation mitigation is proposed solely for the 0.037-acre of seasonal wetland habitat, and not for the seasonal wetland habitat associated with the ditch feature.

Non-compensatory mitigation measures include the implementation of erosion control Best Management Practices (BMPs) during construction to reduce the potential of sediment discharges to surface waters. In addition, the applicant shall implement post-construction storm water BMPs to treat the storm water runoff from the site.

The City of Santa Rosa, as the lead California Environmental Quality Act (CEQA) agency, prepared an Environmental Impact Report (EIR) for the Southeast Santa Rosa Specific Plan Area in 1993, and has determined that this project qualifies for coverage under that EIR pursuant to the California Environmental Quality Act (CEQA).

The nearest receiving water is Laguna de Santa Rosa Hydrologic Sub Area No. 114.21.

The project is scheduled to begin during the Spring or Summer of 2005. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Andrew Jensen at (707) 576-2683, or at jensa@rb1.swrcb.ca.gov within 21 days of the posting of this notice.